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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,586	01/30/2004	Eric E. Lowe	SUN1P766/P040534	8953
22434	7590	08/30/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP			GU, SHAWN X	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2189	

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No.	Applicant(s)	
	10/769,586	LOWE, ERIC E.	
	Examiner	Art Unit	
	Shawn Gu	2189	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 24 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

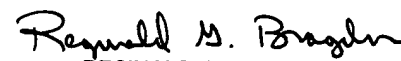
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.  
6. ☒ Newly proposed or amended claim(s) 26-29 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: 26, 28 and 29.  
Claim(s) objected to: 16, 18-21, 24 and 25.  
Claim(s) rejected: 1, 3-14, 22 and 23.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

  
**REGINALD BRAGDON**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

Continuation of 5. Applicant's reply has overcome the following rejection(s): claims 8-10 under 112(1), claims 9 and 27 under 112(2), and claims 26 under 102(b).

Continuation of 11. does NOT place the application in condition for allowance because:

In response to argument (a) presented by the Applicant, the Examiner refers to the cited reference in the Final Office action (see Khalid, Col.4, Ln.50-55, the citation is now more specific than the lines cited previously). It can be shown in Khalid that when a TLB miss occurs for a selected virtual address, the TSB is searched for a TTE that might match the virtual address. Also see Khalid Col.6, Ln.44-45, which states that TSB contains TTE entries.

In response to argument (b), Examiner notices that the Applicant is referring to the wrong reference for the citation Col.9, Lines 7-13. The Examiner did not cite Mohamed as the reference to contain those lines in the Final Office action as claimed by the Applicant. Referring to Page 9 of the Final Office action, this claim limitation was rejected by Khalid in further view of Mohamed and Mohamed et al. Although the specific reference was not indicated in the citation, it should be clear that the primary reference (Khalid) should contain the cited lines. The lines cited by the Applicant from Mohamed are completely unrelated to the claim limitation under discussion.

Regarding arguments (c) and (d), it should be clear that these elements follow directly from the limitation discussed in argument (b) as set forth above. Khalid clearly shows these elements ("TSB 250 is tested to determine whether the translation is stored in TSB 250", see Col.4, Ln. 51-54).

The Applicant's reply is also non-responsive to the rejections of claims 8-14 and 22-23 under 35 U.S.C 103(a). More specifically, claim 13 does not describe a TSB and testing the associated context identifiers of the TTE entries as described in claim 1. Instead claim 13 only teaches determining the occurrence of a TLB miss by testing a context identifier of the virtual address. This limitation is clearly shown by Mohamed ('162) as described in the Final Office action (see Col.7, Ln.10-16 and Ln.30-35, further reinforced by Col.7, Ln.17-29).